

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

RUDOLPH SHAWN GAGUSKI,	:	CIVIL ACTION NO.
GDC ID # 1005953,	:	2:12-CV-00198-RWS-JCF
Plaintiff,	:	
	:	
v.	:	
	:	
RONALD NEWTON, et al.,	:	PRISONER CIVIL ACTION
Defendants.	:	42 U.S.C. § 1983

MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Now before the Court are Plaintiff’s motions for default judgment (Docs. 7, 10) and his motion to amend his complaint to add three defendants (Doc. 12). As no defendant has yet been served with Plaintiff’s complaint, **IT IS RECOMMENDED** that Plaintiff’s motions for default judgment (Docs. 7, 10) be **DENIED**. And as Plaintiff has not alleged that any of the three defendants he seeks to add have taken any action in violation of his constitutional rights, alleging instead only that “they are Guilty, by association and kno[w]ledge” (Doc. 12 at 1), **IT IS RECOMMENDED** that his motion to amend (Doc. 12) be **DENIED without prejudice**.

SO RECOMMENDED this 13th day of March, 2013.

/s/ J. CLAY FULLER
J. CLAY FULLER
United States Magistrate Judge